USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 10/13/2015

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
---X

MOHAMED ABDELAL,

Plaintiff,

-against-

COMMISSIONER RAYMOND W. KELLY and the CITY OF NEW YORK,

Defendants.

---X

13-CV-04341 (ALC)(SN)

ORDER

SARAH NETBURN, United States Magistrate Judge:

For the reasons stated on the record at today's conference, defendants are to produce the pre- and post-trial case summaries with appropriate redactions by no later than October 20, 2015. Any redactions must be accompanied by a privilege log. If there is a dispute regarding any privilege assertion, the parties shall meet and confer in an effort to resolve such dispute. If the parties cannot reach an agreement, they shall each submit a letter of not more than three pages stating the parties' legal argument for their position. Defendants shall also submit for *in camera* review a copy of the case summaries with the redacted portions highlighted for the Court's review.

In addition, the defendants shall produce former NYPD Commissioner Raymond Kelly for a deposition. The deposition shall last no more than three hours and shall take place at a location of Commissioner Kelly's convenience. The plaintiff may inquire about matters beyond the plaintiff's discipline, as discussed on the record. Commissioner Kelly's deposition shall take place no later than October 30, 2015.

The case summaries discussed above and the deposition transcript of Commissioner Kelly shall be deemed CONFIDENTIAL and shall not be disclosed to anyone person or entity not directly involved in this litigation. Such confidential material shall be used only for purposes of this litigation. If any party seeks to file this confidential material with the Court, the party seeking to maintain this protection must make an application to the Court to have the materials filed under seal, and such application must be consistent with governing law in this Circuit.

The plaintiff shall provide a copy of its expert report to the defendants today. The defendants will have 30 days to provide a rebuttal report, if necessary, in compliance with the Federal Rules of Civil Procedure.

The parties are directed to consult with their clients and to contact my chambers immediately if a settlement conference would be productive.

SO ORDERED.

SARAH NETBURN
United States Magistrate Judge

DATED: New York, New York
October 13, 2015